

United States District Court

for the

Eastern District of New York

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

RECEIVED
IN CHAMBERS OF
HON. STERLING JOHNSON, JR.

MAR 26 2007

TIME A.M. _____
P.M. _____

Name of Offender: **Luca DiMatteo**

Case Number **03-CR-0072**

Name of Sentencing Judicial Officer: **Sterling Johnson, Jr., Senior U.S. District Judge**

Date of Original Sentence: **September 17, 2004**

Original Offense: **Racketeering, a Class C Felony in violation of 18 USC 1962(c)**

Original Sentence: **57 months custody, 3 years Supervised Release**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **March 12, 2007**

PETITIONING THE COURT

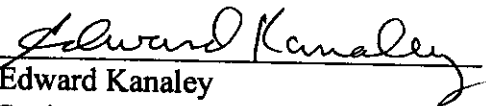
☒ To modify the conditions of supervision as follows:

The releasee shall not associate directly or indirectly, in-person, by mail, by computer or telephonically, with any of the individuals on the list provided to him by the Probation Department, who are identified as members and/or associates of the Colombo Organized Crime Family, unless granted permission to do so by the probation officer. In addition, the releasee shall not associate with any of the co-defendants or related defendants listed in his presentence report under Docket #03-CR-0072, unless granted permission to do so by the probation officer.

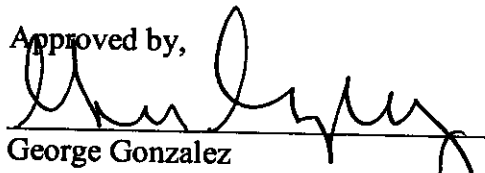
CAUSE

The releasee is a known made-member of the Colombo Organized Crime Family and has participated in criminal activities with other members of that criminal organization.

Respectfully submitted by,


Edward Kanaley
Senior U.S. Probation Officer
Date: March 20, 2007

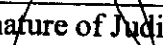
Approved by,


George Gonzalez
Supervising U.S. Probation Officer
Date: March 20, 2007

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ Other

/s/(SJ)


Signature of Judicial Officer


Date

PROB 49
(NYEP-10/28/05)

United States District Court
EASTERN DISTRICT OF NEW YORK

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, " I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel. "

I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision:

The releasee shall not associate directly or indirectly, in-person, by mail, by computer or telephonically, with any of the individuals on the list provided to him by the Probation Department, who are identified as members and/or associates of the Colombo Organized Crime Family, unless granted permission to do so by the probation officer. In addition, the releasee shall not associate with any of the co-defendants or related defendants listed in his presentence report under Docket #03-CR-0072, unless granted permission to do so by the probation officer.

Witness:

Edward Kanaley
U.S. Probation Officer

Signed:

Lura J. Matto
Probationer or Supervised Releasee

3/13/07
Date